

## SENATE BILL NO. 26

INTRODUCED BY C. CHRISTIAENS, TOOLE, ELLINGSON, KITZENBERG, TESTER, JACOBSON,  
HALLIGAN, ROUSH, MCCARTHY, WATERMAN, GOLIE, WANZENRIED, KAUFMANN

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE SHORTFALL IN GENERAL FUND REVENUE BY  
TRANSFERRING PORTIONS OF THE BALANCE OF THE INTERIM UNIVERSAL ACCESS ACCOUNT TO  
THE GENERAL FUND AND TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES;  
CLARIFYING THAT FUNDS MUST BE AVAILABLE FOR REIMBURSEMENT FROM THE INTERIM  
UNIVERSAL ACCESS ACCOUNT; AMENDING SECTIONS 69-3-859 AND 69-3-861, MCA; AND PROVIDING  
AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 69-3-859, MCA, is amended to read:

**"69-3-859. Interim universal access program -- services provided at discounts -- reimbursements.**

(1) Telecommunications carriers shall provide advanced services to eligible users at specified discounts. The amount of the discount must be reimbursed to the provider from available funds in the interim universal access account established in 69-3-861.

(2) Except as provided in subsection (3), the advanced discount is equal to 50% of the best cost rate available to any business customer for an equivalent of one 56 kbps dedicated circuit to the nearest access point for the requested service. However, the cost to the eligible user may not exceed \$100 a month.

(3) If funds from the interim universal access account are not sufficient to fully reimburse for discounts authorized in subsection (2), the amount of the discounts to each eligible user must be reduced proportionally.

(4) Even if best cost rates available to any business customer increase by more than 5%, the amount payable by an eligible user may not increase by more than 5% during the period from April 22, 1997, to January 1, 2000.

(5) Subject to restrictions in federal law, if interstate universal access services are established by the federal communications commission, federal funding for universal access services must be used to reduce state funding for intrastate services."

**Section 2.** Section 69-3-861, MCA, is amended to read:

**"69-3-861. Interim universal access program -- account.** An interim universal access account is established in the state special revenue fund in the state treasury. All money received by the department of revenue pursuant to the surcharge that was in effect during the fiscal year ending June 30, 1999, must be paid to the state treasurer for deposit in the account. After payment of refunds, the balance of the account ~~must be used for the purposes described in 69-3-859 on [the effective date of this act]~~ must be transferred AS FOLLOWS:

(1) 90% TO THE STATE SPECIAL REVENUE FUND TO THE CREDIT OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE USE OF THE DEPARTMENT IN PROVIDING SOCIAL SERVICES; AND

(2) 10% to the general fund."

**NEW SECTION.** **Section 3. Effective date.** [This act] is effective on passage and approval.

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